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In re Application of: Richard A. SCHUMACHER et al.

Serial No.: 10/622,833

Group Art Unit: Unassigned

Filed: July 21, 2003

Examiner: Unassigned

For: PHOSPHODIESTERASE 4 INHIBITORS, INCLUDING N-SUBSTITUTED ANILINE AND DIPHENYLAMINE ANALOGS

## INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§ 1.56, 1.97 and 1.98

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This information disclosure statement is made in accordance with 37 C.F.R. §§ 1.56, 1.97 and 1.98 as follows:

## **Timing and Fees**

$\boxtimes$		Under 37 C.F.R. § 1.97(b), no fee or statement is required for filing this info disclosure statement is filed:					
			three months of the filing date of a national application other than a CPA § 1.53(d);				
		three months of the actual filing date of the national phase of a PCT ation; OR					
	$\boxtimes$	before RCE).	the mailing of a first substantive office action (including after filing of an				
		nder 37 C.F.R. § 1.97(c), this information disclosure statement is filed after the pecified in 37 C.F.R. § 1.97(b), but before the mailing date of:					
			a final rejection under 37 C.F.R. 1.113;				
			termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2); OR				
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		is acco	mpanied by:
			the statement as specified in 37 C.F.R. § 1.97(e) set out below; OR
			a check covering the fee of \$180.00 under 37 C.F.R. § 1.17(p).
			R. § 1.97(d), this information disclosure statement is filed after the mailing lowing actions which have not been withdrawn:
			a final action under 37 C.F.R. § 1.113;
			termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2); OR
			a notice of allowance under 37 C.F.R. § 1.311;
	AND is	s filed o	on or before payment of the issue fee; AND is accompanied by:
			the statement as specified in 37 C.F.R. § 1.97(e) as set forth below, and the fee of \$180.00 under 37 C.F.R. § 1.17(p).
Staten	nents Un	der 37	C.F.R. 1.97(e)
			Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application having a mailing date not more than three months prior to the filing date of this information disclosure statement; or
			No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned attorney after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of the information disclosure statement.
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		ancest	of materials listed but not attached were cited in benefit (35 U.S.C. § 120) or application Serial No, on Form 892 by the Examiner and/or Form by the applicant; see 37 C.F.R. § 1.98(d).
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$\boxtimes$	Copies of the materials listed are attached.
Non-English	Language References
	An English-language search report or equivalent paper from a foreign patent office is provided indicating the relevance of the cited reference(s).
	A foreign-language search report from a foreign patent office is provided, and pertinent parts are translated substantively below:
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	and which was published only on or after this filing date  D = cited in the application  L = cited for another reason  & = publication of member of same patent family
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Other Informa	ation
No. 10/051,30 2003, Serial N July 18, 2003	astant application is related to copending patent applications Serial 09, filed January 22, 2002, Serial No. 10/361,634 filed February 11, No. 10/754,600, filed January 12, 2004, Serial No. 10/662,117, filed , and Serial No. 10/715,819, filed November 19, 2003. Enclosed are uments cited in said related applications.
	ees Due (If Any): ck for \$ covering the fee identified above is attached.
Please	e charge to Deposit Account No. 13-3402 \$ for the fee identified above.

The Commissioner is hereby authorized to charge or credit any overpayment to Deposit Account #13-3402, two copies of this paper are attached for this purpose.

Respectfully submitted,

Brion P. Heavey, Reg. No.; 32,542 Attorney/Agent for Applicants

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Attorney Docket No.: MEMORY-28

Date: March 12, 2004

BPH/rrt

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Substitute fo	or form 1449A/F	то		Complete if Known		
				Application Number	10/622,833	
INFOR	RMATIO	N DISCL	.OSURE	Filing Date	July 21, 2003	
STATE	EMENT	BY APP	LICANT	First Named Inventor	Richard A. SCHUMACHER et al	
				Group Art Unit	Unassigned	
(4	ise as many s	sheets as nec	essary)	Examiner Name	Unassigned	
Sheet 1 of 5		Attorney Docket Number	MEMORY-28			
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_5 _		· · · · · · · · · · · · · · · · · · ·	U.S. PATENT DOCU	MENTS	
Framine or Initials	Cite No.1	Number  Vis. Patent Document  Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		5,622,977	Warrellow et al.	04/22/1997	
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	<del>                                     </del>	6,200,993	Cote et al.	03/13/2001	

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	Examiner Signature	Date Considered	

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Substitute for form 1449A/PTO Complete if Known 10/622,833 **Application Number** INFORMATION DISCLOSURE STATEMENT BY APPLICANT July 21, 2003 Filing Date Richard A. SCHUMACHER et al First Named Inventor Group Art Unit Unassigned (use as many sheets as necessary) Unassigned **Examiner Name** MEMORY-28 Attorney Docket Number

				U.S.	PATENT DOCUM	ENTS		
r Initials   Cite   No.   Number   Kind Code <sup>2</sup>			of Patentee or Applicant ted Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Relevant Passages or Re Figures Appear			
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	<del>-</del>			FOREIC	ON PATENT DOCU	JMENTS		
Examine r Initials*	Cite No.	Fore Office <sup>3</sup>		ment ind Code <sup>5</sup> if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Т <sub>6</sub>
		FR	2729142	Al	Nadler et al.	07/12/1996		
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		WO	97 49702		PCT	12/31/1997		3
		wo	00 69841		PCT	11/23/2000		

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Substitute for form 1449A/PTO Complete if Known 10/622,833 Application Number INFORMATION DISCLOSURE July 21, 2003 Filing Date ATEMENT BY APPLICANT First Named Inventor Richard A. SCHUMACHER et al Group Art Unit Unassigned (use as many sheets as necessary) **Examiner Name** Unassigned MEMORY-28 5 Attorney Docket Number

		OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS					
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.					
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Examiner Signature		Date Considered					

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INFORMATION DISCLOSURE Filing Date July 21, 2003

STATEMENT BY APPLICANT First Named Inventor Richard A. SCHUMACHER et al

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(use as many sheets as necessary)

of

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Examiner Name Unassigned

Attorney Docket Number MEMORY-28

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Examiner	Date	
Signature	Considered	

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				Application Number	10/622,833	
INFO	<b>RMATION</b>	DIS	CLOSURE	Filing Date	July 21, 2003	
STAT	<b>TEMENT B</b>	Y AF	PPLICANT	First Named Inventor	Richard A. SCHUMACHER et al	
3				Group Art Unit	Unassigned	
M 띨	(use as many she	eets as	necessary)	Examiner Name	Unassigned	
SAeet	5	of	5	Attorney Docket Number	MEMORY-28	

		OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS		
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		
		JAMES E. KELLEY et al., "Antirhinovirus structure-activity relationships of 6-substituted-9-(4-methylbenzyl)-2-trifluoromethyl-9H-purines," <u>Eur. J. Med. Chem.</u> , 1990, pp. 131-135, Vol. 25		
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		International Search Report from PCT Application No. PCT/US02/01508, dated January 16, 2003		

Examiner	Date	
Signature	Considered	

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